

Amendment No. 2 to SB1220

Beavers
Signature of Sponsor

AMEND Senate Bill No. 1220

House Bill No. 1196*

by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-8-102(a)(8), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(8) Be free from any disorder as described in the current edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association that would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job or would cause the subject to pose a direct threat to public safety. An applicant must be certified as meeting these criteria by a Tennessee licensed health care provider qualified in the psychiatric or psychological fields.

SECTION 2. Tennessee Code Annotated, Section 8-8-102(a)(9), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(9)

(A)

(i) Possess a current and valid peace officer standards and training commission certification as issued by the peace officer standards and training commission as provided in § 38-8-107, and as defined in title 38, chapter 8, within twelve (12) months prior to the close of qualification for the election for the office of sheriff; or

(ii) Have at least three (3) years of full-time experience as a peace officer standards and training commission certified law enforcement officer within the last ten (10) years; or

(iii) Have the equivalent state or federal law enforcement experience within the last ten (10) years.

(B) The provisions of this subdivision (a)(9) shall not apply in any county having a metropolitan form of government where the sheriff does not have law enforcement powers.

SECTION 3. Tennessee Code Annotated, Section 8-8-102(d), is amended by deleting the subsection in its entirety and by substituting instead the following:

(d)

(1) Any person elected to the office of sheriff who does not possess a current and valid peace officer standards and training commission certification issued by the peace officer standards and training commission or training that is approved by or meets the standard on minimum hours required to be certified by the peace officer standards and training commission shall be required to enroll, within six (6) months after taking office, in a remedial training program offered by the Tennessee law enforcement training academy. Any such sheriff who does not fulfill the obligations of this training program shall lose the power of arrest. Any cost associated with obtaining such peace officer standards and training certification shall be paid by the county. For such person to qualify for the office of sheriff in any subsequent election, the person must have completed such training program and have obtained peace officer standards and training certification during such person's first term of office as sheriff.

(2) As used in this subsection (d), "certification" or "certified" means a current and valid peace officer certification issued by the peace officer standards and training commission or training that is approved by or meets the standard on minimum hours required to be certified by the peace officer standards and training commission.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.